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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CONNIE DEVERS,

Defendant.

CASE NO. CR S 10-223 JAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: November 18, 2014
TIME: 1:30 p.m.
COURT: Hon. John A. Mendez

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a hearing on November 18, 2014 at 1:30 p.m.
2. By this stipulation, defendant now moves to continue the status conference until December 9, 2014, at 9:30 a.m., and to exclude time between November 18, 2014, and December 9, 2014, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has received a report of a competency evaluation of the defendant. The government does not believe an evidentiary hearing is required as it agrees the physician who wrote the report would testify consistently with its contents if called as a witness, and the government does not wish to cross-examine. For this reason, the parties ask that the

1 evidentiary hearing scheduled for November 18 be vacated.

2 b) The parties desire additional time to review the report, which was produced the
3 week of November 10, so that they can make informed decisions regarding how to proceed. For
4 these reasons, the parties request that a status conference be set in this matter on December 9,
5 2014.

6 c) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
7 et seq., within which trial must commence, the time period of November 18, 2014 to December
8 9, 2014, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(1)(A), (1)(D), (4)
9 [Local Codes A, E, and N].

10 IT IS SO STIPULATED.

11 Dated: November 17, 2014

BENJAMIN B. WAGNER
United States Attorney

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14 /s/ PHILIP A. FERRARI
PHILIP A. FERRARI
Assistant United States Attorney

16 Dated: November 17, 2014

17 /s/ Philip Ferrari for
Mark Reichel, Esq.
18 Counsel for Defendant
19 Connie Devers

20
21 **FINDINGS AND ORDER**

22 IT IS SO FOUND AND ORDERED this 17th day of November, 2014

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24 /s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
25 UNITED STATES DISTRICT COURT JUDGE
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